

**Town of Burns Harbor
Advisory Plan Commission**

Minutes of Monday, January 4, 2016

A regular meeting of the Burns Harbor Advisory Plan Commission was called to order by Bernie Poparad at 7:00 pm. Present at roll call were Toni Biancardi, Eric Hull, Andy Bozak, Angie Scott, and Crystal Westphal.

Also present was Attorney Christine McWilliams.

Reorganization

President

Bozak moved to appoint Bernie Poparad president. Scott seconded the motion. Motion withdrawn.

Westphal moved to appoint Toni Biancardi president. Motion died for lack of second.

Biancardi moved to appoint Eric Hull president. Westphal seconded the motion. Motion carried by unanimous roll call vote.

Vice-President

Biancardi moved to appoint Andy Bozak vice-president. Scott seconded the motion. Motion carried by unanimous roll call vote.

Plan Commission Appointment to Board of Zoning Appeals

Biancardi moved to appoint Bernie Poparad to the Board of Zoning Appeals. Bozak seconded the motion. Motion carried by unanimous roll call vote.

Minutes

Poparad moved to approve the minutes of December 7, 2015 as written. Bozak seconded the motion. Motion carried by unanimous vote.

Communication, Bills, Expenditures

Reschedule September Meeting

The September meeting is scheduled for Labor Day.

Poparad moved to reschedule the September meeting to Monday, September 12. Scott seconded the motion. Motion carried by unanimous roll call vote.

Report of Officers, Committee, Staff

None.

Preliminary Hearing

None.

Public Hearing

None.

Old Business

Surface Parking

Attorney McWilliams presented an informal proposal in regards to Surface Parking that would be the simplest way to make it more restrictive.

The Town Code does not have a definition for Motor Vehicle however it is referenced in the definition of Surface Parking.

To reconcile the surface parking issue if the board chooses this option, McWilliams recommended carving out a new classification of parking which would be commercial motor vehicle parking or surface parking, commercial as a way of adding something to the Table of Uses.

Surface Parking for vehicles less than 26,000 would be permitted in all the districts and commercial would only be permitted in Business Park or Special Use districts absent some type of special exception.

1. Leave definition of Surface Parking as is.
 - a. Add definition of **Motor Vehicle**: a vehicle that is self-propelled including automobiles, trucks, motorcycles, snowmobiles, recreational vehicles and like devices which have a gross vehicle weight rating of 26,000 pounds or less. This provision shall not include commercial motor vehicles as is defined within the Town Code.
 - b. Add definition of **Commercial Motor Vehicle**: a vehicle that has a gross vehicle weight rating of at least 26,001 pounds, is designed to transport 16 or more passengers including the driver; or any size vehicle carrying hazardous materials which requires placarding.
 - c. Add definition of Commercial Surface Parking: an off street, ground level, permanently paved open area that provides temporary storage for commercial motor vehicles other than for expeditious delivery or pick up of materials or for construction use.
 - d. On the Table of Uses, add Commercial Surface Parking
 - i. Have commercial parking be a special exception in ROS, R, RC1, RC2, and DD
 - ii. Have commercial parking be permitted in Business Park and Special Use

The attorney said other viable options would be to carve out an entirely separate section dedicated to solely to parking and parking issues. The Table of Uses would be amended in a similar way as what is proposed and adding those sub definitions. A couple of neighboring town codes have their own provisions for parking and they very specifically prohibit certain vehicles and allow certain vehicles in certain spaces. Portage specifically has restrictions related to US 20 and they have outlined businesses permitted to have semi-trailer parking and how many they are

allowed to have. It can get highly detailed depending upon how much regulation the Commission is seeking to obtain. The other option would be to simply change the definition of surface parking and just remove “motor”. It is the hiccup here because there is no motor vehicle definition and rely on the vehicle definition that already exists in the code. Surface parking could then apply to vehicles that fall under the light and medium vehicle definition. Then a separate commercial motor vehicle definition or commercial vehicle parking would need to be carved out that would apply to the heavy motor vehicle definition.

The attorney will work with the Building Commissioner and continue to research surface parking comparing ordinances from neighboring communities with the intent to outline three different options at February’s meeting.

New Business

Review: Bonds, Maintenance Guarantees, Letters of Credit

Corlin’s Landing

The secretary mailed the Infrastructure Guarantee Agreement to Tom Lightfoot.

Good of the Order of the Community & Any Other Business

None.

Announcements

None.

Adjourn

Poparad moved to adjourn at 7:25 pm. Westphal seconded the motion. Motion carried by unanimous vote.

APPROVED February 1, 2016

Eric Hull, President

, Secretary